

12-950
mjo/LIB

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Civil No. 11-1488 (RHK/LIB)

Plaintiff,

ORDER

vs.

Kerry L. Augustine, et al.,

Defendants.

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, no Objections having been filed with respect thereto, and upon all of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 36) is **ADOPTED**;
2. That Kerry L. Augustine and Elma J. Augustine's Motion to Dismiss (Doc. Nos. 34 and 35) is **DENIED**.

Dated: March 26, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge

Exhibit 1
SCANNED

[Signature]

APR 16 2012

U.S. DISTRICT COURT ST. PAUL

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIVIL DIVISION**

**GHASSAN MANSOUR, ABBAS HASHEMI,
HAMID FARAJI, AND DR. SAM HAKKI,
collectively as the Trustees of the Islamic Education
Center of Tampa, Inc.,**

Plaintiff(s),

**CASE NO.: 08-03497
DIVISION: L**

vs.

**ISLAMIC EDUCATION CENTER OF TAMPA,
INC., a non profit corporation,**

Defendant(s).

**ORDER IN CONNECTION WITH PLAINTIFFS' EMERGENCY MOTION TO
ENFORCE ARBITRATOR'S AWARD**

THIS CAUSE came before the Court, on Defendant's February 23, 2011 ore tenus motion for a written Order memorializing the oral interlocutory order announced by the Court during the evidentiary hearing that began on January 10, 2011. The Court has made the following findings and rulings in connection with Plaintiffs' Emergency Motion to Enforce Arbitrator's Award:

1. This case will proceed under Ecclesiastical Islamic Law.
2. Under Ecclesiastical Islamic Law, pursuant to the Qur'an, Islamic brothers should try to resolve a dispute amongst themselves. When the brothers are unable to do so, they can agree to present the dispute to the greater community of brothers within the mosque or the Muslim community for

resolution. If that is not done or does not result in a resolution of the dispute, the dispute is to be presented to an Islamic judge for determination, and that is or can be an A'lim.

3. The remainder of the hearing will be to determine whether Islamic dispute resolution procedures have been followed in this matter.

DONE AND ORDERED in Chambers, at Tampa, Hillsborough County, Florida, this ____

day of _____ 20____.

ORIGINAL SIGNED

MAR 03 2011

RICHARD A. NIELSEN

~~CIRCUIT COURT JUDGE~~

The Honorable Richard A. Nielsen
CIRCUIT COURT JUDGE

Copies furnished to:

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Exhibit 2